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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/825,576	03/31/97	PETITE	T 81607-1010

EXAMINER

MM21/0713

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ART UNIT	PAPER NUMBER
2877	5

DATE MAILED: 07/13/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined. ☐ Responsive to communication filed on _____ ☐ This action is made final.
A shortened statutory period for response to this action is set to expire THREE (3) month(s), --- days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input checked="" type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of informal Patent Application, Form PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input checked="" type="checkbox"/> Substitute PTO-948 |

Part II SUMMARY OF ACTION

1. ☒ Claim(s) 1-20 are pending in the application.
Of the above, claim(s) _____ is withdrawn from consideration.
2. ☐ Claim(s) _____ has been canceled.
3. ☐ Claim(s) _____ is allowed.
4. ☒ Claim(s) 1-20 are rejected.
5. ☐ Claim(s) _____ is objected to.
6. ☐ Claim(s) _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawing(s) under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawing(s) are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction(s), filed on _____, has been ☐ approved. ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under 35 USC 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

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The Preliminary Amendments

The preliminary amendments filed on March 31, 1997 and July 7, 1997 have been entered.

The Information Disclosure Statement

The prior art cited by applicant has been considered.

Objections

The amendment filed July 7, 1997 is objected to under 35 U.S.C. § 132 because it introduces new matter into the disclosure. 35 U.S.C. § 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is the sentence inserted after "cash purchases." in line 19 of page 1 and the four words inserted before "gas pumps" in line 12 of page 7 of the specification. The original disclosure is silent with respect to public and pay telephones.

Applicant is required to cancel the new matter in the reply to this Office action.

Claim Rejections - 35 U.S.C. § 112

The following is a quotation of the first paragraph of 35 U.S.C. § 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 20 is rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled

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in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The application, as originally filed, was silent with respect to the automated transaction machine being a pay telephone as is now claimed in claim 20. Applicant is required to cancel the new matter in the reply to this Office action.

Claim Rejections - 35 U.S.C. § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 3-8 and 10-19 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Tait et al.

Tait et al disclose a system for providing remote access to automated financial transaction machines. The system comprises an automated financial transaction machine (30) having means (12) for receiving data transmitted via electromagnetic waves and a remote access unit (10) adapted to transmit user identification data to the receiving means. Applicant's attention is directed to Tait et al in its entirety.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all

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obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tait et al in view of Lee (5,565,857), cited by applicant.

Tait et al disclose a system for providing remote access to automated financial transaction machines. The system comprises an automated financial transaction machine (30) having means (12) for receiving data transmitted via electromagnetic waves and a remote access unit (10) adapted to transmit user identification data to the receiving means. Tait et al fail to specifically set forth an automatic banking machine as one of the accessible financial transaction machines.

Lee discloses the use of a system for providing remote access to an automatic banking system. Applicant's attention is directed to the text under the heading "AUTOMATIC BANKING SYSTEM" in columns 19-21 of Lee.

At the time the invention was made, it would have been obvious to one with ordinary skill in the art to include an automatic banking machine in the group of financial transaction machines accessed by the system of Tait et al in view of the teaching of Lee.

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tait et al in view of Lee (5,565,857), cited by applicant.

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Tait et al disclose a system for providing remote access to automated financial transaction machines. The system comprises an automated financial transaction machine (30) having means (12) for receiving data transmitted via electromagnetic waves and a remote access unit (10) adapted to transmit user identification data to the receiving means. Tait et al do not teach the use of the system to actuate an automobile door lock system.

Lee discloses a system for providing remote access to automated financial transaction machines and for actuating an automobile lock system. Applicant's attention is directed to the paragraph bridging columns 3 and 4 with particular attention directed to line 5 in column 4 of Lee.

At the time the invention was made, it would have been obvious to one with ordinary skill in the art to configure the remote access unit of Tait et al to also actuate an automobile door lock system in view of the teaching of Lee in the paragraph bridging columns 3 and 4.

Fax/Telephone Numbers

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The fax number is (703) 308-7722.

If applicant wishes to send a fax containing a Proposed Amendment for discussion during either a personal interview or a telephone interview then the fax should:

- 1) Contain either the statement "**DRAFT**" or "**PROPOSED AMENDMENT**" on the Fax Cover Sheet; and
- 2) Should be unsigned by the attorney or agent.


This will ensure that the amendment will not be entered into the application and will be forwarded to the examiner as quickly as possible.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to the examiner whose telephone number is (703) 308-4805. Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-0956.


F. L. EVANS
PRIMARY EXAMINER
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July 5, 1998